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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/989,977	11/20/2001	Chris Ingersoll	COMM-005	1716

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EXAMINER

PAULA, CESAR B

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 04/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/989,977

Applicant(s)

INGERSOLL, CHRIS

Examiner

CESAR B. PAULA

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 22--24 is/are rejected.
- 7) ☒ Claim(s) 9-14, 28 and 38-43 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to the amendment filed on 12/13/2004:

This action is made Final.

2. In the amendment, claims 1-50 are pending in the case. Claims 1, 9, 15, 22, 25, 27-30, 38, and 44 are independent claims.

3. The rejections of claims 22-24 rejected under 35 U.S.C. 103(a) as being unpatentable over Moody et al, hereinafter Moody (Pat. # 5,890,177, 3/30/1999), have been withdrawn as necessitated by the amendment.

Drawings

4. The drawings filed on 11/20/2001 have been approved by the examiner.

Claim Objections

5. The objections to claims 15-21, 29, and 44-50 have been withdrawn in light of the appropriate corrections made to the claims.
6. Claims 9-14, 28, and 38-43 are objected to because of the following informalities:
Claims 9, 28 and 38 recite "more than one documents" lines 10-11, 11-12, and 9-10 respectively.

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It appears that this is a typographical error, which should be written as "more than one document". Appropriate correction is required.

Claim Rejections - 35 USC § 101

7. The rejections of claims 1-21 have been withdrawn in light of the appropriate amendment to claim 1.

Claim Rejections - 35 USC § 112

8. The rejections of claims 9-14, 28, and 38-43 under 35 U.S.C. 112, second paragraph, have been withdrawn in light of the appropriate amendment made to the claims.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moody et al, hereinafter Moody (Pat. # 5,890,177, 3/30/1999), in view of Cromarty et al, hereinafter Cromarty (Pat. # 6,393,442, 5/21/2002, filed on 5/8/1998).

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Regarding independent claim 22, Moody discloses an author creating an original document using a word processing program—*native/community version equivalence determiner* – which is to be sent out to editors in a local area network (col. 4, lines 20-43).

Moreover, Moody discloses the author sends copies of the original document to other editors using email, floppy disks, etc.,—*native version document sender coupled to said native version/community version determiner--*. Application programs, and floppy disks, and communications adaptor are interconnected within the same computer (col. 4, lines 33-43, col. 3, lines 27-30, 52-col.4, line 6).

Furthermore, Moody discloses the return of the edited copies by the editors to the original author via the network—*native/community/other converted document sender coupled to said native version document converter--* (col. 4, lines 44-51, col. 3, lines 27-30, 52-col.4, line 6). Moody fails to explicitly disclose: *said native document converter configured to convert the native version document to a community version and to all versions closer to said community version than the native version..* However, Cromarty teaches the conversion of SGML formatted source code to versions, such as HTML, PDF, Postscript, binary code, etc., (col.7, lines 21-67). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have included a document converter to perform the conversions above, because Moody teaches that the editors do not have to use the same word processing program (col. 4, lines 38-43), and Cromarty teaches . Thus, providing the benefit of providing consistency using the document versions (col.2, lines 40-50). This would allow the editors to edit the document in an environment their more familiar with, which allows these editors to be more effective, and spending less time than in a word processor they're not acquainted.

Regarding claim 23, which depends on claim 22, Moody discloses the transmission to the edited documents via email message—*community version document message encapsulator* – which is to be sent out to editors in a local area network (col. 4, lines 34-36). Moody fails to explicitly disclose: *a native version/other converted document attachment saver*.. However, it would have been obvious to a person of ordinary skill in the art at the time of the invention to have attached the documents to the email, because Moody teaches above sending the documents via the email. Thus, providing the benefit of rapid delivery of the copies of the original document using the features found in email.

Regarding claim 24, which depends on claim 22, Moody discloses consolidating various edited copies into a final document—*transformation registry* –, and then converting the different versions into the original author's format using filters or translators which is to be sent out to editors in a local area network (col. 4, lines 34-36).

Allowable Subject Matter

11. Claims 25-27, and 30-37 are allowed.

Response to Arguments

12. Applicant's arguments with respect to claims 22-24 have been considered but are moot in view of the new ground(s) of rejection. The Applicant indicates that Moody does not teach the

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newly added amendment to claim 22 (page 21). The Applicant is directed towards the rejection of the new limitation in light of newly found prior art.

Conclusion

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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I. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Dodge et al. (Pat. # 5,655,130).

II. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cesar B. Paula whose telephone number is (571) 272-2148. The examiner can normally be reached on Monday through Friday (every other Friday off) from 8:00 a.m. to 4:00 p.m. (EST).

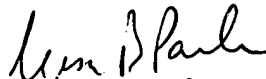
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong, can be reached on (571) 272-4124. However, in such a case, please allow at least one business day.

Any response to this Action should be mailed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Or faxed to:

- (703) 703-872-9306, (for all Formal communications intended for entry)


CESAR PAULA
PRIMARY EXAMINER

4/1/05